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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,908	10/04/2000	Olivier Hericourt	FR9-1999-0096-US1	7242

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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/678,908

Applicant(s)

HERICOURT, OLIVIER

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,2 and 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (U.S. Patent No. 6,389,462) in view of Kayashima (U.S. Patent No. 6,195,366) in further view of Jade et al. (U.S. Patent No. 5,944,823).

3. In reference to claim 1, Cohen teaches a method in a network device for caching Hyper Text Transfer Protocol (HTTP) data transported in an Internet Protocol (IP) Datagram sent on a socks connection established over a Transmission Control Protocol (TCP) connection between a source port on a source device and a destination port on a destination device (Cohen, Abstract and column 6 lines 21-46; Cohen discloses caching HTTP connection data transported in an IP packet over TCP between source and destination), said method comprising the steps of:

Identifying elements of an incoming IP Datagram, comprising:

- the source device,
- the destination device,
- the port on the source device,
- the port on the destination device,

(Cohen, column 6 lines 21-67; Cohen discloses identifying source and destination device and ports from a packet);

determining whether the incoming IP Datagram originates from a socks client or from a socks server (Cohen, column 7 lines 1-35; Cohen discloses determining if packet is originated by client or origin server):

in response to the incoming IP Datagram originates from a socks client (Cohen, column 6 lines 21-67; Cohen discloses IP packets/requests from client):

terminating the TCP connection and the socks connection (Cohen, column 6 line 21 – column 7 line 67; Cohen discloses terminating TCP connection by interrupting transmission between client and origin server);

Cohen fails to teach identifying the socks connection in a table. However; Kayashima discloses socks connection, terminating socks connection, and identifying the connections in tables (Kayashima, column 1 line 5 – column 2 line 36, column 5 line 42 – column 6 line 23 and figure 3);

It would have been obvious for one ordinarily skilled in the art to identify the socks connection in a table as per the teachings of Kayashima for keeping track of the connection parameters.

Cohen also fails to teach identifying the application level protocol associated with said socks connection referring to said table, said table comprising for each socks connection an application level protocol. However, Jade discloses maintaining a connection table within an intermediary network device, the table contains protocol entries (Jade, column 1 lines 50-67 and column 4 lines 40-67);

It would have been obvious for one ordinarily skilled in the art to identify the application level protocol associated with said socks connection referring to said table, said table comprising for each socks connection an application level protocol as per the teachings of Jade for identifying the connection information protocol for data transmission.

determining whether said application level protocol is HTTP or not:

In response to said application level protocol being HTTP:

determining whether HTTP data requested by the incoming IP Datagram resides in a local cache within the network device (Cohen, Abstract, column 6 line 23 – column 8 line 52; Cohen discloses determining if HTTP data request packet is in a local proxy cache):

In response to the HTTP data requested by the incoming IP Datagram residing in a local cache:

building an outgoing IP Datagram comprising requested HTTP data retrieved from the local cache; and

sending said outgoing IP Datagram to the socks client originator of the incoming IP Datagram (Cohen, Summary, column 6 line 23 – column 8 line 52; Cohen discloses building an IP packet comprising the HTTP data request and sending it to the client).

4. In reference to claim 2, Cohen teaches the method according to claim 1, wherein:

In response to the HTTP data requested by the IP Datagram not residing in the local cache within the network device:

identifying the outbound socks connection associated with the socks connection referring to the table, said table comprising for each socks connection an outbound socks connection;

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building an outgoing IP Datagram with information comprised in the incoming IP Datagram; and sending said outgoing IP Datagram on the outbound socks connection (Cohen, Abstract, column 5 lines 1-30 and column 7 lines 10-50).

5. In reference to claim 4, Cohen teaches the method according to claim 2 wherein said step of identifying the outbound socks connection associated with the socks connection referring to the table comprises the further steps of:

defining an outbound socks connection between the network device and the destination device of the incoming IP Datagram; and associating in the table said outbound socks connection with the socks connection of the incoming IP Datagram (Cohen, Abstract, column 5 lines 1-30 and column 7 lines 10-50).

6. Claims 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (U.S. Patent No. 6,389,462) in view of Kayashima (U.S. Patent No. 6,195,366) in further view of Jade et al. (U.S. Patent No. 5,944,823) in further view of Bhagwat et al (US Patent No 5,941,988).

7. In reference to claim 3, Cohen teaches method according to claim 1, wherein said step of identifying the socks connection in a table, comprises the further steps of:

determining whether the IP Datagram comprises a message for establishing a new connection, in particular a CONNECT message, or not; and if the incoming IP Datagram comprises a message for establishing a new connection, in particular a CONNECT message:

defining an inbound connection between the socks client source of the incoming IP Datagram. and the network device; and updating the table with:

an identification of the connection; an identification of the associated inbound connection; and the application level protocol associated with the connection.

(Cohen, Summary, column 8 lines 1-50 and column 9 lines 1-35).

Cohen fails to explicitly teach wherein the establishing is establishing a socks connection with a socks CONNECT message. However, Bhagwat, discloses socks communication which is well known to use a connect message (column 1 line 45 – column 2 line 20 and column 7 lines 20-45).

It would have been obvious for one of ordinary skill in the art to modify Cohen by establishing the socks connection with a socks CONNECT message as it is well known in the art.

8. Claims 5-20 do not teach or define any new limitations which is not inherent in the above mentioned claims 1-4, and are therefore rejected for similar reasons.

Response to Amendment

9. Examiner acknowledges the amendments made to claims 1-5 and 7-12, submitted 5/26/2004. The amendments correct the previously indicated errors. The examiner withdraws all objections and also the 35 USC 112 Second Paragraph rejections, for claims 1-12.

Examiner acknowledges the replacement Abstract within the specification, and therefore withdraws objection to the specification.

Response to Arguments

10. Applicant's arguments, see page 18 of applicants remarks, filed 5/26/2004, with respect to the rejection(s) of claim(s) 1 and 11 under Cohen et al. (U.S. Patent No. 6,389,462) in view of Kayashima (U.S. Patent No. 6,195,366) in further view of Crichton et al (US Patent 6,104,716) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of Cohen et al. (U.S. Patent No. 6,389,462) in view of Kayashima (U.S. Patent No. 6,195,366) in further view of Jade et al. (U.S. Patent No. 5,944,823). The Jade reference has a common assignment with the instant application. The Jade patent qualifies as prior art under 35 USC 102 (b) and therefore can be used in a 35 USC 103 (a) rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
September 13, 2004



SALEH NAJJAR
PRIMARY EXAMINER